REMARKS

Claims 1-24 are pending in the application.

Claims 1-24 have been rejected.

Claims 1, 3-5, 7, 10 and 13 have been amended, as set forth herein.

I.   REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-9 and 16-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2007/0030885 to *Jechoux et al.*, (hereinafter "Jechoux"). The rejections are respectfully traversed.

Claims 10-15 and 21-24 were rejected under 35 U.S.C. § 102(e) as being anticipated by European Patent No. 1143638 A1 to *Jechoux et al.*, (hereinafter "Jechoux A1 "). The rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

With respect to the rejection of Claims 1-9 and 16-20 based on *Jechoux*, independent Claim 1 as currently presented, recites "[a] method for supporting downlink JD (joint detection) in a TDD CDMA communication network system, comprising: judging whether the CAI (code allocation information) in a downlink timeslot will change in the next TTI (transmission time interval); inserting the changed CAI as a specific control information into a specified field in the traffic burst in the downlink timeslot corresponding to current TTI if the CAI will change; sending the traffic burst containing the specific control information to each UE (user equipment) in the downlink timeslot via a downlink channel."

Applicants submit that *Jechoux* does not disclose each and every element found in independent Claim 1. In particular, it is submitted that *Jechoux* does not disclose "judging whether the CAI (code allocation information) in a downlink timeslot will change in the next TTI (transmission time interval)" and "inserting the changed CAI as a specific control information into a specified field in the traffic burst in the downlink timeslot corresponding to current TTI if the CAI will change" as recited by Claim 1.

The Office Action contends that *Jechoux* teaches each and every feature as recited and arranged in Claim 1. The Office Action argues that *Jechoux* (Abstract, paragraphs [0017]-[0019]) teaches "judging whether the CAI (code allocation information) in a downlink timeslot will change in the next TTI (transmission time interval)." (Office Action, page 2). The Office Action states "Jec discloses midambles and transmission parameters respectively allocated to mobile stations." (Office Action, page 2).

The Applicants agree that *Jechoux* discloses midambles and transmission parameters. However, *Jechoux* contains no disclosure for <u>judging</u> whether the code allocation information (or midambles/transmission parameters as relied upon by the Office Action) in a downlink slow <u>will change in the next transmission time interval</u>. *Jechoux* merely teaches a system and method for informing a mobile station regarding other spreading codes that are allocated to the other user's signals simultaneously present in the same timeslot. (*Jechoux*, paragraphs [0017]-[0019], [0027] and [0050]). *Jechoux* fails to anticipate Claim 1 for this independent reason.

Further, Claim 1 recites "inserting the changed CAI as a specific control information into a specified field in the traffic burst in the downlink timeslot corresponding to current TTI <u>if the CAI will change</u>." The Office Action argues this feature collectively with "sending the traffic burst containing the specific control information to each UE (user equipment) in the downlink timeslot via a downlink channel." The Office Action contends that *Jechoux* (Abstract, paragraphs [0003]-[0007], [0015]-[0028], [0038]-[0041] and [0043]-[0051]; and figs. 1,-3 and 5-6) teaches the aforementioned features of Claim 1. However, *Jechoux* contains no teaching or suggestion that any information, such as a changed CAI (as specific control information), is inserted into a traffic burst

in the downlink timeslot if the CAI (or midambles/transmission parameters as relied upon by the Office Action) will change. *Jechoux* fails to anticipate Claim 1 for this independent reason.

Accordingly, the Applicant respectfully requests the § 102(e) rejection of Claim 1, and its dependent claims, be withdrawn. Independent Claims 7, 16 and 19 are rejected under the same rationale as Claim 1. Therefore, these claims are allowable for the same or similar reasons with respect to Claim 1, discussed above.

Therefore, the Applicant respectfully requests the § 102(e) rejections of Claims 1-9 and 16-20 based on *Jechoux* be withdrawn.

With respect to the rejection of Claims 10-15 and 21-24 based on *Jechoux A1*, independent Claim 10, as currently presented, recites "[a] method for supporting downlink single-user JD in a TDD CDMA communication network system, comprising steps of: judging whether the ACN (active code number) in a downlink timeslot will change in the next TTI; inserting the changed ACN as a specific control information into a specified field in the traffic burst in downlink timeslot corresponding to current TTI if the ACN will change; sending the traffic burst containing the specific control information to each UE in the downlink timeslot via downlink channel."

Applicants submit that *Jechoux A1* does not disclose each and every element found in independent Claim 10. In particular, it is submitted that *Jechoux A1* does not disclose "judging whether the ACN (active code number) in a downlink timeslot will change in the next TTI" and "inserting the changed ACN as a specific control information into a specified field in the traffic burst in downlink timeslot corresponding to current TTI if the ACN will change" as recited by Claim 10.

As stated herein above with respect to *Jechoux*, *Jechoux A1* contains no disclosure for judging whether the midambles/transmission parameters, as relied upon by the Office Action to teach the ACN, in a downlink slow will change in the next transmission time interval. Additionally, *Jechoux A1* contains no disclosure for inserting the changed ACN as a specific control

information into a specified field in the traffic burst in downlink timeslot corresponding to current TTI if the ACN (e.g., midambles/transmission parameters) will change.

Accordingly, the Applicant respectfully requests the § 102(b) rejection of Claim 10, and its dependent claims, be withdrawn. Independent Claims 13, 21 and 23 are rejected under the same rationale as Claim 10. Therefore, these claims are allowable for the same or similar reasons with respect to Claim 10, discussed above.

Further, currently presented Claim 13 recites, inter alia, "detecting whether the traffic burst contains the ACN in the next TTI in the downlink timeslot." *Jechoux A1* contains no teaching for detecting whether the traffic burst contains any information, even the midambles/transmission parameters relied upon as the ACN by the Office Action. *Jechoux A1* fails to anticipate Claim 13 for this independent reason.

Therefore, the Applicant respectfully requests the § 102(b) rejection of Claims 10-15 and 21-24 based on *Jechoux A1* be withdrawn.

II.   CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *rmccutcheon@munckcarter.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK CARTER, LLP

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Robert D. McCutcheon
Registration No. 38,717

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3632 (direct dial)
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: *rmccutcheon@munckcarter.com*